

MINUTES TOWN OF EAST FISHKILL
TOWN BOARD MEETING
JANUARY 27, 2022 7:00
p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on January 27, 2022 was called to order at 7:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

There was a moment of silence held for the loss of all Police Officers that have served.

Supervisor's Announcements

Supervisor D'Alessandro wished everyone a Happy New Year. He attended several swearing in ceremonies throughout the County. There was a very nice crowd at East Fishkill's swearing-in ceremony as well. He congratulated all who got sworn in.

Supervisor D'Alessandro congratulated County Legislator Caswell on being appointed to the Dutchess County Community College Board of Directors. There was a meeting with the EPA regarding Hopewell North Water District. They are still working on the ongoing issues. Congressman Maloney's office has been trying to assist.

There is a potential issue in the Pinewood Water District in regard to the new New York State testing protocols for PFOA and PFOS. It didn't hit over 10 which is the New York State maximum but the federal maximum is 70. They are coming up with a plan to deal with this issue.

Supervisor D'Alessandro attended the Dutchess County Supervisors and Mayors Association meeting. They voted in a new slate of officers and he is again on the executive committee.

There is a Southern Dutchess Coalition made up of the Town of Fishkill, the Village of Fishkill, East Fishkill, Wappingers, Village of Wappingers, and City of Beacon for water and sewer collaboration. They are discussing aquifer protection. Supervisor D'Alessandro has been meeting with the Police Chief regularly. Board Member Beephan is the new liaison to the Police Department. He also had a Supervisors meeting last week.

There is a new grant coordinator and they have been working on several new grants.

The Sports Dome owners have been discussing coming back in and finishing their project. There is a potential new ownership team moving forward to buy out the old owners and complete the project. The back taxes have been paid. The Town

is also working with them for an easement for the traffic improvement on Route 52.

Supervisor D'Alessandro attended the East Fishkill Rotary meeting. Supervisor D'Alessandro stated there have been comments made on social media regarding the Town Board making it difficult for existing businesses in regard to new businesses wanting to come in or build buildings. The Town does not regulate competition. It is against the law. The Town Board is a staunch supporter of all of the town businesses. Information on social media is very inaccurate. The Board is considering a moratorium on development on Route 82 so it can have open discussions with the community about the community growth.

Roll Call: Supervisor D'Alessandro asked Town Clerk Cassidy to call the rolls.

Board Members in attendance were

| | | | |
|---------|--------|----------|--------------|
| Anil | Thomas | Emanuele | Nicholas |
| Beephan | Franco | Marinero | D'Alessandro |

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; and Mark Pozniak, Comptroller.

Approve Minutes:

December 9, 2021

Motion to approve the minutes for the December 9th meeting: Board Member Marinero. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Supervisor D'Alessandro stated they were going to change the order of the agenda and do the first resolution first.

Public Hearings:

1. Open Public Hearing to consider the Formation of a Street Improvement District on Route 52/Palen Road Improvement District

Motion to open the Public Hearing to consider the formation of a street improvement district on Route 52/Palen Road Improvement District: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Supervisor D'Alessandro stated they have been discussing this for a long time. Route 52 Traffic Mitigation Plan is in process due to traffic issues there, especially in the morning. During the SEQRA for the Amazon project this area was thoroughly

reviewed. This traffic mitigation plan is the solution to those problems. They would like to put a roundabout on Route 52 at Auditorium Drive. Auditorium Drive will become a town road and it will be named Patriot Way. That road will have a school drop off for the John Jay High School. This will help ease a lot of traffic on that corridor. Patriot Way will be a bypass road to get people onto Interstate 84 without having to pass in front of the high school and iPark complex. This Public Hearing is to review all of the properties that are in this area that would benefit from this because they will be the ones funding it. Amazon is the largest one to participate. This is a \$2.6 million project. Amazon is contributing \$925,000 to this. That leaves \$1.7 million to be borne by the remaining properties. This will be a Highway improvement area.

Engineer Bryant stated that in addition to the \$925,000 from Amazon they are also responsible to reconstruct the existing Auditorium Drive from Route 52 to the Con Ed right-of-way in the back. This is a significant improvement to be paid for by them 100%. The total improvement for that could be approaching approximately \$1 million. Supervisor D'Alessandro stated Amazon is contributing almost \$2 million to additional traffic improvements as well as the jobs they will be adding to the community.

Supervisor D'Alessandro stated the additional properties included in this would be iPark and their projects, GlobalFoundries, the Sports Dome, the school district, Route 52 Supply, the property on the corner of Palen Road and Route 52, and Frito-Lay.

Engineer Bryant stated that they hope to have final plans submitted to the DOT within the next few weeks for their review and approval. They are well aware of this project. They have been reviewing the preliminary plans. They will be doing exploratory examination to locate utilities to make sure there are no conflicts when it starts. They're also trying to finalize the right-of-way with the Dome project. The hope is to get this out to bid in early spring. They hope to have it operational by next year.

Supervisor D'Alessandro asked if there were any members of the public with questions or comments. There were none. He asked if there was anyone on the Board with questions or comments.

Board Member Franco stated he believes this will be a great addition for John Jay. He thanked all of the businesses that will be contributing to this.

Board Member Beephan stated this has been an area causing a lot of complaints for a long time, especially regarding the morning commute. He believes this will make things better.

Supervisor D'Alessandro stated the School Superintendent is very happy with this project.

Board Member Marinaro stated he believes this is a great project that will benefit the school children and parents for pickups and drop-offs. There have been issues in the past and this will make it a lot better. He stated this is a great example of not taxing the community and sharing the benefit with everyone.

County Legislator Caswell commended the Board for taking on this project. They have brought many new businesses to the area. This will be a great plan to mitigate the associated traffic in this area.

Motion to close the Public Hearing to consider the formation of a street improvement district on Route 52/Palen Road Improvement District: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

a. Adopt Public Interest Order & Resolution

Adopted
At a meeting of the Town Board of the
Town of East Fishkill, Dutchess County,
New York, held at the Town Hall, in East
Fishkill, New York in said Town, on the
27th day of January, 2022, at 7:00 P.M.,
Prevailing Time.

PRESENT:

NICHOLAS D’ALESSANDRO

Supervisor

THOMAS FRANCO

Councilman

EMANUELE MARINARO

Councilman

ANIL BEEPHAN, JR.

Councilman

In the Matter
of the
Formation of Road Improvement
Route 52, Patriot Way, South Drive
The Town of East Fishkill,
Dutchess County, New York

ORDER APPROVING
CONSTRUCTION
ROAD IMPROVEMENT
AREA

WHEREAS, the Town Board of the Town of East Fishkill on its own motion proposed the improvement of that portion of said Street, hereinafter described, by the construction of sidewalks, curbs, gutters and culverts; and

WHEREAS, said Town Board duly adopted on the 9th day of December, 2021, an order reciting in general terms, the improvement proposed, the maximum amount proposed to be expended for said improvement and the area benefitted, and specifying that said Town Board shall meet at the Town Hall, 330 Route 376, Hopewell Junction, New York, on the 27th day of January, 2022, at 7:00 p.m., to hear all persons interested in the subject matter thereof, concerning the same; and

WHEREAS, certified copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same; and

WHEREAS, from the evidence offered at such time and place, the said Town Board has determined that it is in the public interest to make the said improvement; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize and approve the improvement of the following described portion of said Street, by the construction of sidewalks, curbs, gutters and culverts: upgrading South Drive, construction of drop off lane for John Jay High School, reconstruction of Auditorium Drive, constructing a roundabout on Route 52 and the installation of appropriate drainage, stripping, signage and installation of appropriate drainage, stripping, signage and landscaping; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is \$2,641,533.00 (two million six hundred forty-one thousand five hundred thirty-three dollars), which will be paid as set forth in the proceedings; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Scott Bryant, P.E., the Town Engineer is hereby authorized and directed to prepare definite plans and specifications, and to make a careful estimate of the expense, and with the assistance of Thomas F. Wood, Town Attorney, to prepare a proposed contract for the execution of the work required for such improvement; and

BE IT FURTHER RESOLVED, that the Town Engineer shall survey the above-described portion of said Street and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER J. CASSIDY, TOWN CLERK

This Order Approving Construction of Road Improvement Area
was adopted by the following vote:

COUNCILMAN TOM FRANCO

AYE

COUNCILMAN EMANUELE MARINARO AYE

COUNCILMAN ANIL BEEPHAN, JR. AYE

SUPERVISOR NICHOLAS D’ALESSANDRO AYE

Motion to adopt a Public Interest Order and Resolution: Board Member Franco.
Seconded: Board Member Marinaro. All voted in favor. Motion carried.

b. Adopt Negative Declaration

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Date: January 27, 2022

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: **Route 52/Palen Road Street Improvement District**

Description of Action:

The proposed action is the formation of a street improvement district on Route 52 between Lime Kiln Road and East Fishkill Corporate Park Drive. The road network needs improvements to alleviate congestion and accommodate the increased traffic flow resulting from existing and new development on Route 52. The following improvements have been identified:

- Reconstruction of Patriot Way and portions of South Drive. Once the improvements are complete the roads will become Town roads.
- Construction of a new round-a-bout at the intersection of Route 52 and Patriot Way
- Construction of a new parent drop off area for the John Jay High School to be located along Patriot Way.

These improvements shall be funded by a combination of direct improvements to Patriot Way by Project Redtail along with their direct monetary contribution and the formation of a highway improvement area that will include all commercial properties in the immediate vicinity that will benefit from this highway improvement project.

SEQR Status: Type I _____Conditioned Negative Declaration?___Yes

| | | | |
|----------|----------|----------|----|
| Unlisted | <u>x</u> | <u>X</u> | No |
|----------|----------|----------|----|

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

X Short Form EAF

Supplemental Part III Information

_____ Storm Water Pollution Prevention Plan (SWPPP)

Other (Describe) _____

Name of Action: **Route 52/Palen Road Street Improvement District**

For Further Information:

Contact Person: Peter J. Cassidy, Town Clerk
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in the formation of the Route 52/Palen Road Street Improvement District to include the above referenced improvements. The proposed Route 52/Palen Road Street Improvement District would be expected to improve traffic operating conditions and safety along Route 52 would not be expected to result in any significant adverse impacts on the environment for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.

2. It will not affect rare or endangered species of animal or plant, or habitat of such species.
3. It will not result in any impacts to historic or archeological resources.
4. It will not result in any impacts related to hazardous materials.
5. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
6. It will not be subjected to unacceptable risk of flooding or major geological hazards.
7. It will not have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.
9. It will not allow for improper uses within specified zoning districts.
10. It will not result in adverse cumulative impacts.
11. It will not result in adverse growth-inducing impacts.
12. It will not conflict with the Town's Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON JANUARY 27, 2022.

Chairperson/Designee

Date

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
- Appropriate Regional Office of the Department of Environmental Conservation.
- Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.
- Applicant (if any)
- Other involved agencies (if any)

VOTING

Councilman Franco

VOTE

Aye

| | |
|-------------------------|-----|
| Councilman Marinaro | Aye |
| Councilman Beephan | Aye |
| Supervisor D'Alessandro | Aye |

Motion to adopt a Negative Declaration: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D'Alessandro said there are no additions to the agenda.

Courtesy of the Floor:

Supervisor D'Alessandro asked if there was anyone who wanted to speak about any general town issues.

County Legislator Caswell stated in January they discussed the Lake Walton Preserve Project. The design phase is completed. They will begin construction in spring. Board Member Franco asked if they were going to do anything with the lake. Legislator Caswell stated they will do some dredging but for the most part they are keeping it natural. Board Member Beephan stated there are a lot of ATV trails in the area that are causing complaints from neighbors. He asked if there was anything the project could possibly do to help that. Legislator Caswell said he will look into it.

Robert Grasso said he heard a streetlight was going to be installed at the entrance driveway for the Town Hall. Supervisor D'Alessandro stated the entrance will also be fixed. Mr. Grasso asked if they would consider replacing the old Christmas wreaths on the light poles with something more current.

Receive and File:

Supervisor D'Alessandro stated there was nothing for receipt and file.

Resolutions:

1. Authorize a Promotion in the Police Department

RESOLUTION
(AUTHORIZE POLICE APPOINTMENT)

WHEREAS, a vacant Lieutenant position has been open for 2 years. The Chief of Police is asking the East Fishkill Town Board to appoint a Lieutenant to the position; and

WHEREAS, the Town Board has reviewed the Dutchess County Civil Service lists; and

WHEREAS, The Town Board has interviewed the candidate recommended by the Town Police Chief; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board appoints Sergeant Gregory Stanis as an East Fishkill Police Lieutenant; and

BE IT FURTHER RESOLVED, the salary and benefits for the above positions will be in accordance with the PBA contract.

Motion to authorize a promotion in the Police Department: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

Chief Bellino issued Lt. Stanis his new shield.

2. Confirm Receipt of Appointment of Deputy Supervisor and Administrative Assistant by Supervisor

RESOLUTION

(CONFIRM RECEIPT OF APPOINTMENT OF DEPUTY SUPERVISOR AND SECRETARY TO THE SUPERVISOR)

WHEREAS, the Town Supervisor has submitted his request to appoint Thomas Franco as his Deputy Supervisor of Administration, and

WHEREAS, the Town Supervisor has submitted his request to appoint Emanuele Marinaro as his Deputy Supervisor of Inter Governmental Affairs, and

WHEREAS, the Town Supervisor has also submitted his request to appoint Gina Grippo as Secretary to the Supervisor; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby confirm receipt of the Town Supervisor's appointments.

BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED, that said Gina Grippo be and hereby is to be compensated as per the 2022 budget and shall receive all other fringe benefits as provided to the CSEA members.

Motion to confirm the receipt of the appointment of the Deputy Supervisor and Administrative Assistant by the Supervisor: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

3. Re-Appoint:

a) Town Attorney

RESOLUTION
(APPOINTING THE TOWN ATTORNEY)

WHEREAS, the Town Board previously has established the office of the Town Attorney pursuant to NYS Town Law; and

WHEREAS, it is the desire of the Town Board to appoint a Town Attorney for the term of 2022-2025;

NOW, THEREFORE, BE IT RESOLVED, that Thomas F. Wood, Esq. of 20 Christine Court in the Town of East Fishkill be and hereby is reappointed as the Town Attorney of the Town of East Fishkill for 2022-2025 term effective January 1, 2022; and

BE IT FURTHER RESOLVED, that said Thomas F. Wood, Esq. shall be compensated as an employee of the Town for 16 hours per week, said time records to be maintained by the Town Supervisor; and

BE IT FURTHER RESOLVED, that Michael J. Cunningham, Esq. be and hereby is appointed as counsel to the Town Attorney and shall be compensated as an employee of the Town at an hourly rate as approved in the 2022 budget; and

BE IT FURTHER RESOLVED, that the Town Attorney be and hereby is authorized within the budgetary limits fixed by the Town Board to retain attorneys in various specialties as needed by the Town during the course of the calendar year subject to the approval of the Town Supervisor and/or the Town Board.

b) Town Comptroller

RESOLUTION
(APPOINTING THE TOWN COMPTROLLER)

WHEREAS, the Town Board has previously established the office of Town Comptroller in accordance with the provisions of Town Law of the State of New York; and

WHEREAS, it is the desire of the Town Board to re-appoint the Town Comptroller for the years 2022-2025; and

NOW, THEREFORE, BE IT RESOLVED, that Mark Pozniak be and hereby is re-appointed as the Town Comptroller of the Town of East Fishkill; and

BE IT FURTHER RESOLVED, that said Comptroller will be paid as per the 2022 budgeted rate.

**c) Renew Shared Services for Planner RESOLUTION
(CONTINUING SHARED SERVICES FOR TOWN PLANNING)**

WHEREAS, the Town previously entered into an Intermunicipal Agreement with the Town of Cortlandt to share professional planning services; and

WHEREAS, Michelle Robbins serves as a part-time Planner for the Town of East Fishkill on a two-fifths basis per week; and

WHEREAS, it is the desire of the Town to continue said arrangement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to execute an agreement continuing the arrangement with the Town of Cortlandt sharing the services of a principal Planner, Michelle Robbins by paying two-fifths of her annual costs and salary; and

BE IT FURTHER RESOLVED, that the salary and benefits administration shall be with the Town of Cortlandt.

d) Renew Shared Services for Assessor

**RESOLUTION
(AUTHORIZING THE CONTINUATION OF SHARED SERVICES FOR THE
TOWN ASSESSOR)**

WHEREAS, at the time that the Town undertook re-evaluation, it entered into an agreement with the City of Beacon sharing the services of the Town Assessor who also serves as the City of Beacon Assessor; and

WHEREAS, it is the desire of the Town Board to continue the shared services wherein Beacon pays a prorated share of the costs of salary, benefits, etc. of the Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute any required extension agreements in order to continue the shared service of Assessor with the City of Beacon – Kathleen Martin.

e) Renew Shared Services for Human Resources Director

RESOLUTION

(CONTINUING SHARED SERVICES FOR PERSONNEL ADMINISTRATOR)

WHEREAS, the Town previously entered into an Intermunicipal Agreement with the Town of Wappinger to share professional personnel services; and

WHEREAS, Sara Morris serves as a part-time Personnel Administrator for the Town of East Fishkill on a 50% basis per week; and

WHEREAS, it is the desire of the Town to continue said arrangement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to execute an agreement continuing the arrangement with the Town of Wappinger sharing the services of a Personnel Administrator, Sara Morris by paying 50% of her annual costs and salary; and

BE IT FURTHER RESOLVED, that the salary and benefits administration shall be with the Town of East Fishkill.

f) Appoint Registrar of Vital Statistics and Deputy Registrar

RESOLUTION

(APPOINT REGISTRAR OF VITAL STATISTICS & DEPUTY REGISTRAR)

WHEREAS, it is the desire of the Town Board to designate said officials, registrar and deputy registrar of vital statistics;

WHEREAS, under NYS Law, the Town Board designates a Registrar of Vital Statistics to keep records of all births and deaths within the Town; and

NOW, THEREFORE, BE IT RESOLVED, that Caroline Ciaccio be and hereby is designated as a Registrar of Vital Statistics for calendar years 2022-2023; and

NOW, THEREFORE, BE IT RESOLVED, that Regina Ferrucci be and hereby is designated as a Deputy Registrar of Vital Statistics for calendar year 2022-2023; and

BE IT FURTHER RESOLVED, that said Registrar shall be compensated by a stipend of \$7000, set by the Town Board.

Motion to authorize the re-appointment of the Attorney and Comptroller, continuation of the shared services for the Planner, Town Assessor, and Human

Resources Director, and appoint the Registrar of Vital Statistics and Deputy Registrar: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

4. Banking:

a) Designate Depositories

RESOLUTION

(DESIGNATE THE OFFICIAL DEPOSITORIES OF THE TOWN)

WHEREAS, the Town Board must authorize the official depositories of the Town; and

WHEREAS, the Town Comptroller has recommended that the Tompkins Mahopac Bank be continued as the principal depository of the Town and that other banking institutions be authorized by the Board for the deposit of money based upon competitive interest rates;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate the Tompkins Mahopac Bank, with offices at Route 82, Hopewell Junction, New York as the official depository for the Town of East Fishkill for all official accounts of all public offices; and

BE IT FURTHER RESOLVED, that the following banking institutions which have offices within the Town be and hereby are authorized to be depositories of the Town for funds to be deposited by the Town Supervisor based upon competitive interest rate quotes given at the time of investment, to wit: Key Bank, Route 52; Chase Bank, Route 82; Wells Fargo Bank, Route 376; M&T Bank, Route 376 and the Rhinebeck Bank, Route 52 as well as Putnam County Savings Bank. Within the limits of FDIC Insurance or third party reciprocal collateralization.

BE IT FURTHER RESOLVED, that the deposits shall all be secured in accordance with Town Law.

b) Designate Authorized Signatures

RESOLUTION

(AUTHORIZING THE VARIOUS SIGNATORIES ON TOWN ACCOUNTS)

WHEREAS, the Town Board has previously designated the official depositories of the Town; and

WHEREAS, under NYS Town Law, the Supervisor is the authorized signer of said accounts; and

WHEREAS, Town Law authorizes the Town Board to establish alternate signers in the absence of the Supervisor; and

NOW THEREFORE BE IT RESOLVED, that all bank accounts maintained by the Town shall be subject to the control of the Town Supervisor who shall be the sole signer on said account; and

BE IT FURTHER RESOLVED, that Deputy Supervisor Thomas Franco be and hereby is an authorized signer on said accounts in accordance with law in the absence or inability of the Supervisor to sign said accounts; and

BE IT FURTHER RESOLVED, the Town Board does hereby continue the requirement that all checks in excess of \$500,000.00 be countersigned by the Town Clerk.

Motion to designate the depositories of record and designate the authorized signatures: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

5. Designate Official Newspapers

RESOLUTION

(DESIGNATING THE OFFICIAL NEWSPAPER OF THE TOWN)

WHEREAS, Pursuant to Town Law the Town Board must designate an official newspaper to be used for the publication for all legal notices of various departments and agencies of the Town; and

WHEREAS, it is the desire of the Town Board to make such designations;

NOW, THEREFORE, BE IT RESOLVED, that the Southern Dutchess, a newspaper of general circulation, published within the County be and hereby is designated as the official newspaper of the Town of East Fishkill; and

BE IT FURTHER RESOLVED, that all legal notices of all boards within the Town shall be published in said newspaper; and

BE IT FURTHER RESOLVED, that when timing does not permit proper notice by the publication, Southern Dutchess News, then upon specific consent of the Supervisor, the Poughkeepsie Journal be and hereby is designated as the alternate official newspaper.

Motion to designate the official newspapers: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

6. Authorize Retaining Consultants:

a) Engineering

RESOLUTION

(AUTHORIZING CONSULTING ENGINEER SERVICES)

WHEREAS, the Town has previously selected CPL: Architecture – Engineering – Planning as the consulting engineer for the Town of East Fishkill; and

WHEREAS, the Town has also used the engineering services of Rennia Engineering Design, PLLC; and

WHEREAS, the Town Board is desirous of continuing their services; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Engineer and Town Supervisor be and hereby are authorized to effectuate the use of CPL: Architecture - Engineering - Planning and Rennia Engineering Design, PLLC.

b) Traffic

RESOLUTION

**(APPOINT HUDSON VALLEY ENGINEERING AS THE OFFICIAL
TOWN TRAFFIC CONSULTANTS)**

WHEREAS, the Town has previously selected Hudson Valley Engineering to be the Town's traffic consultant; and

WHEREAS, Hudson Valley Engineering, Beacon, New York have previously been authorized by the Town Board to perform the traffic surveys with respect to the major state corridors and to make recommendations to the Town Board with respect to improvements to be requested by the Town of DOT; and

WHEREAS, it is the desire of the Town Board to have one traffic consultant to review any traffic issues that may need to be reviewed due to developments, applications, zoning changes, etc. that may be considered within the Town; and

NOW, THEREFORE, BE IT RESOLVED, that Hudson Valley Engineering of Beacon, New York be and hereby is designated as the official Town of East Fishkill traffic consultant for calendar year 2022;

BE IT FURTHER RESOLVED, that said traffic consultant shall be utilized by the Planning Board, Zoning Board and any other Board requiring traffic studies to be performed; and

BE IT FURTHER RESOLVED, that when the traffic studies are performed on behalf of an application pending before a Board, the cost of same shall be paid by the escrow account established by the applicant in accordance with other sections of Town Law and the applicant may utilize said traffic study as their own; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to implement the policy to effectuate the use of Hudson Valley Engineering as the Town of East Fishkill's traffic consultant.

c) Hydrogeologists

RESOLUTION

(EXTEND CONTRACT FOR A HYDROGEOLOGIST)

WHEREAS, the Town has previously selected WSP to be the Town's Hydrogeologist consultant; and

WHEREAS, WSP has previously been authorized by the Town Board to perform hydrology studies; and

NOW, THEREFORE, BE IT RESOLVED, that WSP be and hereby is authorized by the Town Board with respect to hydrology studies and engineering in the Town; and

BE IT FURTHER RESOLVED, that the Town Engineer and Town Supervisor be and hereby are authorized to effectuate the use of WSP.

d) Environmental Monitor

RESOLUTION

(APPOINT HUDSON VALLEY ENGINEERING ASSOCIATES AND CPL AS THE ENVIRONMENTAL MONITOR CONSULTANTS)

WHEREAS, the Town has selected Hudson Valley Engineering Associates and CPL to be the Town's environmental monitor consultants; and

WHEREAS, Hudson Valley Engineering Associates and CPL, have been authorized by the Town Board to be environmental monitor consultants; and

NOW, THEREFORE, BE IT RESOLVED, that Hudson Valley Engineering Associates and CPL are hereby designated as the official Town of East Fishkill environmental monitor consultants for calendar year 2022;

BE IT FURTHER RESOLVED, that said environmental monitor consultant shall be utilized by the Planning Board, Zoning Board, Engineering Department and any other Board requiring environmental monitoring to be performed; and

BE IT FURTHER RESOLVED, that when environmental monitoring is required on behalf of an application pending before a Board or Engineering Department, the cost of same shall be paid by the escrow account established by the applicant in accordance with other sections of Town Law and the applicant may utilize said environmental monitor reports as their own; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to implement the policy to effectuate the use of Hudson Valley Engineering Associates and CPL as the Town of East Fishkill's environmental monitor consultants.

e) Financial

RESOLUTION

(AUTHORIZE CAPITAL MARKETS ADVISORS, LLC AS FINANCIAL CONSULTANTS)

WHEREAS, the Town previously selected Capital Markets Advisors, LLC to be the Town's financial consultants; and

WHEREAS, the Town Board is desirous of continuing their services; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to extend the agreement with Capital Markets Advisors, LLC.

f) Planning

RESOLUTION

(APPOINT BEHAN ASSOCIATES LANDSCAPE ARCHITECTURE & ENGINEERING, DPC AS TOWN PLANNING CONSULTANT)

WHEREAS, the Town has previously selected Behan Associates Landscape Architecture & Engineering, DPC to be the Town's planning consultant; and

WHEREAS, Behan Associates Landscape Architecture & Engineering, DPC, Saratoga Springs, New York has previously been authorized by the Town Board to perform various studies with respect to the major projects within the town and to make recommendations to the Town Board with respect to improvements within the Town; and

WHEREAS, it is the desire of the Town Board to have a planning consultant to review potential planning issues that may need to be reviewed due to developments, applications, zoning changes, etc. that may be considered within the Town; and

WHEREAS, Behan Associates Landscape Architecture & Engineering, DPC, Saratoga Springs, New York hereby is designated as the official Town of East Fishkill planning consultant for calendar year 2022;

BE IT FURTHER RESOLVED, that said planning consultant shall be utilized by the Planning Board, Zoning Board and any other Board requiring planning studies to be performed; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to implement the policy to effectuate the use of Behan Associates as the Town of East Fishkill's planning consultants.

g) Bridge and Culvert

RESOLUTION

(APPOINT GPI AS THE OFFICAL BRIDGE & CULVERT CONSULTANTS)

WHEREAS, the Town has previously selected GPI to be the Town's bridge & culvert consultant; and

WHEREAS, GPI, West Port, Connecticut have previously been authorized by the Town Board to perform the bridge & culvert studies with respect to the bridges and culverts projects within the town and to make recommendations to the Town Board with respect to improvements to be requested by the Town; and

WHEREAS, it is the desire of the Town Board to have a bridge and culvert consultant to review any issues that may need to be reviewed due to developments, applications, etc. that may be considered within the Town; and

NOW, THEREFORE, BE IT RESOLVED, that GPI of Albany, New York be and hereby is designated as the official Town of East Fishkill bridge and culvert consultant for calendar year 2022;

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to implement the policy to effectuate the use of GPI as the Town of East Fishkill's bridge and culvert consultant.

Motion to authorize retaining consultants; Engineering; Traffic; Hydrogeologist; Environmental Monitor; Financial; Planning; and Bridge and Culvert: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

7. Appoint and Designate Chairs of Various Boards and Committees as Necessary

RESOLUTION
(APPOINTING ALL BOARD CHAIRPERSONS)

WHEREAS, the Town Board on an annual basis appoints a Chairperson for each Town of East Fishkill Board; and

WHEREAS, it is the desire of the Town Board to appoint said Chairpersons for 2022;

NOW, THEREFORE, BE IT RESOLVED, that the following will be the Chairperson for each of the listed Boards/Council for the Town of East Fishkill for calendar year 2022:

| | |
|-------------------|-------------------------------|
| John Eickman | Planning Board |
| Norma Drummond | Zoning Board |
| Brent Feldweg | Conservation Advisory Council |
| Paul Pesavento | Architectural Review Board |
| Michael Kieser | Recreation Board |
| Deborah McCaffery | Ethics Board |
| Thomas Toub | Board of Assessment Review |
| David Palin | Fire Advisory Board |

Motion appointing and designating Chairs of Various Boards and Committees as necessary: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

8. Confirm Supervisor's Designation of Liaisons of Various of Boards and Committees

RESOLUTION-021/2022

(CONFIRMING DESIGNATION OF LIAISONS TO BOARDS & COMMITTEES)

WHEREAS, the Town Supervisor on an annual basis indicates to the members of the Town Board which committees and agencies of the Town they will be the Board Liaison to; and

WHEREAS, in the role of a liaison they regularly meet with their department or board, or committee and report back to the Town Board as a whole as to the status of any issues pertaining to those agencies or boards;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby designates the following liaisons to boards and committees:

Councilman Franco – Highway Dept., Veterans Committee, Building Dept.
Councilman Marinaro – Recreation Dept., Assessors Dept., Economic Dev.
Councilman Beephan – Police Dept., Emergency Services, Court

BE IT FURTHER RESOLVED, that all members of the Town Board be and hereby are authorized to attend meetings of any board or agency of the Town upon notice to the official liaison who may also be attending.

Motion to confirm the Supervisor's Designation of Liaisons of various Boards and Committees: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

9. Authorize Supervisor to Sign Personal Service Agreements within Budgetary Lines

RESOLUTION

(AUTHORIZING THE SUPERVISOR TO SIGN PERSONAL SERVICE AGREEMENT WITHIN BUDGETARY LINES)

WHEREAS, there are personal service agreements that are budgeted and require the Town Supervisor's signature; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign any personal service agreements within the budget; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute all personal service agreements as budgeted for 2022.

Motion to authorize the Supervisor to sign Personal Service Agreements within budgetary lines: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

10. Designate Insurance Broker for 2022

RESOLUTION
(DESIGNATE INSURANCE BROKERS OF RECORD FOR CALENDAR YEAR 2022)

WHEREAS, the Town Board on an annual basis needs to maintain insurance for coverage for the Town; and

WHEREAS, it is the desire of the Town Board to designate Town brokers of record;

NOW, THEREFORE, BE IT RESOLVED, that Spain Agency be and hereby are designated as the Town's brokers of record for Commercial Coverage and Worker's Compensation; and

NOW, THEREFORE, BE IT RESOLVED, that Dutchess County Agent be and hereby is designated as the Town's broker of record for Health Insurance; and

BE IT FURTHER RESOLVED, that Marshall & Sterling be and hereby is designated as the Town's insurance broker of record with respect to the Town's Disability insurance.

Motion to designate Insurance Broker for 2022: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

11. Authorize Virtual Attendance at NYS Association of Towns Training for Town Officials

RESOLUTION
(AUTHORIZING THE VIRTUAL ATTENDANCE AT THE ASSOCIATION OF TOWNS FOR VARIOUS TOWN OFFICIALS)

WHEREAS, the Association of Towns of the State of New York, of which the Town of East Fishkill is a member, conducts their annual meeting and training sessions on February 20, 2022 to February 23, 2022; and

WHEREAS, by Town Law officers and officials of the Town are authorized to attend said function;

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby authorize officials and employees as approved by the Town Supervisor to attend the Virtual Association of Towns of the State of New York annual meeting on February 20, 2022 to February 23, 2022; and

BE IT FURTHER RESOLVED, that one voting member is hereby designated as the official voting delegate of the Town of East Fishkill; and

BE IT FURTHER RESOLVED, that the 2022 membership for the Town is approved.

Motion to authorize virtual attendance at NYS Association of Towns Training for Town Officials: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

12. Authorize Supervisor to sign IMA's and Contracts for Services with Agencies as Budgeted for 2022

RESOLUTION

(AUTHORIZING THE SIGNING OF AN INTERMUNICIPAL AGREEMENT AND CONTRACTS FOR SERVICES WITH AGENCIES)

WHEREAS, The Supervisor signs Intermunicipal Agreements and contracts annually for services with agencies as budgeted; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign all Intermunicipal Agreements and contracts that are in the 2022 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute all Intermunicipal Agreements and contracts for services with agencies as budgeted in 2022.

Motion to authorize Supervisor to sign IMA's and contracts for services with agencies as budgeted for 2022: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

13. Authorize refunds of Building Department, Planning, and Zoning Fees when Appropriate by Supervisor

RESOLUTION

(AUTHORIZING THE SUPERVISOR TO REFUND BUILDING DEPARTMENT AND PLANNING AND ZONING FEES WHEN APPROPRIATE)

WHEREAS, applicants apply to the Building Department and Planning and Zoning Boards and pay their requisite application fees; and

WHEREAS, sometimes they later decide not to pursue the application, or in the alternative they realize they cannot make the modifications proposed and request that their application fee be refunded; and

WHEREAS, there are other situations where certain equity would provide that the Town modify the existing fee and give credit for prior fees, etc.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to refund fees on withdrawn Building Department permits and Planning and Zoning application fees and to modify building permit fees where necessary in amounts not to exceed \$1,000.00 without the further approval of the Town Board; and

BE IT FURTHER RESOLVED, that said adjustments shall reflect retaining sufficient funds to cover any Town expenses incurred up to the point of the withdrawal of the application or modification of the Building Department permits and Planning and Zoning application fees.

Motion to authorize refunds of Building Department, Planning, and Zoning Fees when appropriate by Supervisor: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

14. Adopt Fee Schedule for 2022

RESOLUTION **(SETTING FEES FOR 2022)**

WHEREAS, the Town Board from time to time reviews all fees charged by the various departments of the Town; and

WHEREAS, a current fee schedule has been requested for several of our departments; and

NOW, THEREFORE, BE IT RESOLVED, that the annexed list of fees shall be established for the calendar year 2022 as the fees to be charged for the such named departments; and

BE IT FURTHER RESOLVED, the Town Board approves the attached list of fees for 2022.

Motion to adopt a Fee Schedule for 2022: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

15. Authorize Assessor to Utilize 2021 Exemptions Application for 2022 Senior Exemptions

RESOLUTION

(EXTEND THE SENIOR CITIZENS' HOMEOWNER EXEMPTION AND DISABLED HOMEOWNER EXEMPTION)

WHEREAS, pursuant to Executive Order Number 202.83, the Governor authorized municipalities to pass a resolution authorizing the extension of the Senior Citizens' Homeowner Exemption and the Disabled Homeowner Exemption (collectively the "Exemptions") without any additional action required on behalf of the residents; and

WHEREAS, in past years, each resident would have to submit renewal paperwork annually; and

WHEREAS, after issuing Executive Order Number 202.83, the Governor signed the COVID-19 Emergency Eviction and Foreclosure Prevention Act (A11181/S9114) (the "Legislation") after it was approved during a special session of the Legislature; and

WHEREAS, as part of this legislation, municipalities are required to carry over the Senior Citizens' Homeowner Exemption (RPTL § 467) and the Disabled Homeowner Exemption (RPTL § 459-c) from the 2021 assessment roll to the 2022 assessment roll at the same levels with limited exceptions;

NOW, THEREFORE, BE IT RESOLVED that the Town Board extends the Senior Citizens' Homeowner Exemption and Disabled Homeowner Exemption.

Motion to authorize the Assessor to utilize the 2021 Exemptions Applications 2022 for Senior Exemptions: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

16. Set Public Hearing to Increase Veterans Exemption to the Maximum Allowed by State

RESOLUTION
**(SCHEDULING OF A PUBLIC HEARING ON LOCAL LAW INCREASING
VETERANS TAX EXEMPTIONS)**

WHEREAS, it is the desire of the Town Board to insure that residents who are Veterans are granted the fullest amount of exemptions allowed law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing on February 10, 2022 at 7:00 PM at the Town Hall, 330 Route 376, Hopewell Junction, NY, to consider a Local Law increasing the Exemption Benefits allowed to Veterans.

Motion to set a Public Hearing to Increase Veterans Exemption to the Maximum Allowed by State: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

17. Authorize Preparation of the Map Plan Report Pinewood Knolls Water District

RESOLUTION
**(AUTHORIZING PREPARATION OF A MAP PLAN AND REPORT FOR THE
PINEWOOD KNOLLS WATER DISTRICT)**

WHEREAS, the Department of Health required PFOS/PFOA sampling and PFOS results exceeded the 10 mcl for the Pinewood Knolls Water District requires action by the Town; and

WHEREAS, a Map, Plan and Report is required in order to evaluate options for mitigating the PFOS levels for the Pinewood Knolls Water District; and

NOW THEREFORE BE IT RESOLVED, that the Town Engineer be and hereby is authorized to prepare map plan and report for Pinewood Knolls Water District.

Motion to authorize the preparation of the Map Plan Report Pinewood Knolls Water District: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

18. Set Public Hearing to Amend Town Code and Authorize Issuance of Appearance Tickets by the Police Department

RESOLUTION
(SCHEDULING OF A PUBLIC HEARING AUTHORIZING APPEARANCE TICKETS)

WHEREAS, the Town Code authorizes the issuance of Appearance Tickets by Code Officials for violations of Town Codes; and

WHEREAS, the Town Board wishes to clarify that the Town Police Department can also issue Appearance Tickets; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing on February 10, 2022 to authorize issuance of Appearance Tickets for Town Code Violations by the Town Police Department.

Motion to set a Public Hearing to amend the Town Code to authorize the issuance of Appearance Tickets by the Police Department: Board Member Marinaro.
 Seconded: Board Member Beephan. All voted in favor. Motion carried.

19. Authorize Application for Greenway Compact Grant

RESOLUTION
(RE: AUTHORIZE STAFF TO SUBMIT A HUDSON RIVER VALLEY GREENWAY GRANT APPLICATION IN THE AMOUNT \$10,000 TO FUND AN UPDATE TO THE TOWN'S COMPREHENSIVE PLAN UNDER THE HUDSON RIVER VALLEY GREENWAY PLANNING GRANT PROGRAM)

WHEREAS, the Town of East Fishkill is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for a project entitled Update to Town of East Fishkill Comprehensive Plan to be located in the Town of East Fishkill, and

NOW, THEREFORE, BE IT RESOLVED that the East Fishkill Town Board hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as Update to Town of East Fishkill Comprehensive Plan and located within the Town of East Fishkill.

Motion to authorize an application for Greenway Compact Grant: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

20. Authorize Shed and Fence Amnesty Extension

RESOLUTION

(AUTHORIZE TO EXTEND SHED AND FENCE AMNESTY LAW UNTIL 12/31/2022)

WHEREAS, the Town Board did adopt a Shed and Fence Amnesty Law on June 27, 2019; and

WHEREAS, due to COVID-19 residents were not able to register with the Building Department within the timeframe that was allotted by such Local Law 6 of 2019; and

NOW, THEREFORE, BE IT RESOLVED, that the Shed and Fence Amnesty Law is hereby extended until December 31, 2022; and

BE IT FURTHER RESOLVED, that all provisions of the Shed and Fence Amnesty Law shall remain in effect until December 31, 2022.

Motion to authorize the Shed and Fence Amnesty Extension: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

21. Authorize Hiring of Part Time Tax Record Clerk in Tax Office

RESOLUTION

(APPOINTING A PART TIME TAX RECORD CLERK)

WHEREAS, the independently elected Receiver of Taxes has designated Gina Clark to be a Tax Record Clerk on a permanent part time basis in her Department; and

WHEREAS, the Town Board has agreed and concurred with this request; and

NOW, THEREFORE, BE IT RESOLVED, that Gina Clark be and hereby is designated as a permanent part time tax Record Clerk in the Tax Department; and

BE IT FURTHER RESOLVED, that said Clerk shall be compensated \$15.38/per hour, in accordance with the Collective Bargaining Agreement. This appointment shall take effect as of February 1, 2022.

Motion to authorize hiring of a part-time Tax Record Clerk in the Tax Office: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

22. Declaring Certain Personal Property as Surplus

RESOLUTION
(DECLARING CERTAIN PROPERTY TO BE SURPLUS)

WHEREAS, the Town Police Chief has provided the Town Board with a list of computers and equipment which they deem to be of no further use to the Town and thus, should be considered surplus; and

WHEREAS, the attached list of items are being requested to be declared surplus material and sold and/or disposed of; and

WHEREAS, the Town Board has reviewed said list and concurs; and

NOW, THEREFORE, BE IT RESOLVED, that the certain items that do not contain any confidential materials are hereby declared to be surplus and are to be disposed of by participating in an auction process held by Absolute Auctions & Realty without cost to the Town; and

BE IT FURTHER RESOLVED, that the disposal of items containing confidential materials shall be disposed of in the proper manner.

Motion to declare certain personal property as surplus: Board Member Franco.
Seconded: Board Member Beephan. All voted in favor. Motion carried.

23. Authorize Hiring of Permanent Part-Time at Highway Department

RESOLUTION
(ACKNOWLEDGE HIRE AT HIGHWAY DEPARTMENT)

WHEREAS, the Highway Superintendent has identified the need to hire a Part-Time Laborer; and

WHEREAS, the Highway Superintendent has submitted a letter to the Town Board, requesting said position to be filled; and

WHEREAS, the Highway Superintendent has recommended Thomas Cirrincione for said title; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby acknowledges the appointment in the Highway Department; and

BE IT FURTHER RESOLVED, Thomas Cirrincione is hereby appointed to the title of Laborer at the hourly rate of \$20.06, effective January 31, 2022.

Motion to authorize hiring of a permanent part-time employee at the Highway Department: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

24. Declaring Intent for Lead Agency for Four Corners Water District Well 5

RESOLUTION
(DECLARING INTENT FOR LEAD AGENCY FOR
FOUR CORNERS WATER DISTRICT WELL 5)

WHEREAS, the Town of East Fishkill has determined that the Four Corners Water District is in need for additional water source; and

WHEREAS, the Town of East Fishkill previously evaluated several alternates for providing additional, reliable water source to the water districts and determined that the Test Well #5, installed in the Summer of 2021, could be a possible water source(s); and

WHEREAS, well location is near the NYSDEC wetland or adjacent areas and disturbance in the adjacent area is expected, and the NYSDEC has previously responded with guidelines for enabling a well to be authorized for permanent installation and use requiring NYSDEC permitting; and

WHEREAS, the parcel is adjacent to historic listed area that will require the New York State Historic Preservation Office to review and approve project disturbance; and

WHEREAS, a Short Form Environmental Assessment Form (SEAF) has been filed with the Town Board as required by 6 NYCRR §617.6(a)(2) to initiate the mandatory environmental review prescribed by the State Environmental Review Act (SEQRA) for the proposed project; and

WHEREAS, this resolution will initiate the SEQRA process for the Action contemplated by the Town as set forth in detail below, and the Town Board has undertaken an initial review of the Action as required by 6 NYCRR §617.6 of the SEQRA and the Town is of the opinion that the project is an Unlisted Action; and

WHEREAS, the Action involves one or more other agencies, including but not necessarily limited to the Town Board, the New York State Department of Environmental Conservation, the New York State Department of Health, the New York State Historic Preservation Office, and the Dutchess County Department of Health; and

WHEREAS, the Town of East Fishkill desires to act as Lead Agency for the purpose of conducting the SEQR review;

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby makes a preliminary classification of the Action as an “Unlisted Action” as such term is defined in 6 NYCRR §617.2; and

FURTHER RESOLVED, that the Town’s consultants and employees are hereby authorized to forward appropriate notifications, and any other documents for listings, or other needs identified by various involved agencies; and

FURTHER RESOLVED, that the Town Board hereby declares its intention to be Lead Agency for the purpose of conducting the SEQR review of the Action; and it is

FURTHER RESOLVED, that the Town Board authorizes and directs the prompt transmission of the SEAF with respect to the Action to all involved agencies, together with a Lead Agency Intent Notice for the purpose of conducting a coordinated SEQR review with respect to the Action and notifying such involved agencies that a lead agency must be agreed upon within 30 calendar days of the date the SEAF is transmitted to them; and it is

FURTHER RESOLVED, that the Supervisor of the Town is authorized to execute such documents and take such lawful actions as either such officer may deem convenient, necessary or advisable in order to effectuate the foregoing resolutions, which actions may include without limitation seeking consents from other involved agencies to the designation of the Town as lead agency with respect to the Action.

Motion to declare intent for Lead Agency for Four Corners Water District Well 5: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

25. Setting Recreation Fees for 2022

RESOLUTION **(SETTING RECREATION FEES FOR 2022)**

WHEREAS, the Town Board from time to time reviews all fees charged by the various departments of the Town; and

WHEREAS, a current fee schedule has been requested for the Recreation Department Operations; and

NOW, THEREFORE, BE IT RESOLVED, that the annexed list of fees shall be established for the calendar year 2022 as the fees to be charged for use of the

Recreation Department Operations; and

BE IT FURTHER RESOLVED, the Town Board approves the attached list of fees for 2022.

Motion to set Recreation Fees for 2022: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

26. Authorize Lead Agency Circulation for Phillips Road-Tucker Subdivision
RESOLUTION (AUTHORIZING LEAD AGENCY CIRCULATION FOR PHILLIPS ROAD-TUCKER SUBDIVISION)

WHEREAS, the Town Board is conducting a SEQR review on the proposed Phillips Road-Tucker Subdivision;

WHEREAS, it is necessary to circulate for lead agency and;

WHEREAS, it is the desire of the Town Board to have the Town Planner commence circulation for lead agency;

NOW, THEREFORE, BE IT RESOLVED, that the Town Planner is hereby authorized to circulate for lead agency by the Town Board; and

BE IT FURTHER RESOLVED, that following the expiration of the requisite circulation time period, this matter will come back on the Town Board agenda for a declaration of lead agency by said Board.

Motion to authorize Lead Agency Circulation for Phillips Road-Tucker Subdivision: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

27. Accept LiveScan Grant for Police Department

RESOLUTION
(ACCEPTING LIVESCAN SYSTEM GRANT FROM NEW YORK STATE)

WHEREAS, the Town has been notified that the Police Department has been awarded a grant in the sum not to exceed \$15,000 for LiveScan Equipment; and

WHEREAS, it is the desire of the Town Board to acknowledge that said grant requires 25% of purchase price from the Town; and

WHEREAS, it is appropriate for the Town Board to accept this grant in the best interest of the people of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to accept the grant from New York with respect to Police Services; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute any documents to effectuate said matter.

Motion to accept LiveScan Grant for Police Department: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

28. Authorizing Emergency Repair Work – Warren Farm Road Bridge

RESOLUTION (AUTHORIZE WEIGHT LIMIT ON THE BRIDGE ON WARREN FARM ROAD) WHEREAS, The Highway Superintendent and Town Engineer have had

the

Warren Farm Road Bridge analyzed by an independent consultant; and

WHEREAS, following a review and inspection of said facilities, it has been determined that it is appropriate to set a weight limit for said bridge to protect the public safety; and

WHEREAS, it is the desire of the Board to formally set the weight limit;

NOW THEREFORE BE IT RESOLVED, that the Warren Farm Road Bridge be and hereby is determined to be restricted to weights not exceeding 18 tons; and

BE IT FURTHER RESOLVED, that the Highway Superintendent be and hereby is authorized and directed to post said weight limits forth with.

Motion to authorize emergency repair work at Warren Farm Road Bridge: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

29. Set Public Hearing for February 10, 2022 to Consider a Moratorium on Route 82 from Trink Lane to Beekman Road to Establish Design Standards and Zoning

RESOLUTION

(Scheduling a Public Hearing to Consider a Moratorium on Route 82 from Trink Lane to Beekman Road to Establish Design Standards and Zoning)

WHEREAS, the Supervisor has proposed the adoption of a Local Law entitled “A Local Law Establishing a Moratorium on Route 82 from Trink Lane to Beekman Road to Establish Design Standards and Zoning; and

WHEREAS, it is the desire of the Town Board to set a public hearing to consider a moratorium on Route 82 from Trink Lane to Beekman Road to establish design standards and zoning; and

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing on the aforesaid Local Law will be held at the Town Board meeting on February 10, 2022 at the Town Hall, 330 Route 376, Hopewell Junction, NY; and

BE IT FURTHER RESOLVED, that this Local Law be referred to the County of Dutchess Planning Department/Board for comment as required by law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise said hearing as required by law.

Motion to set a Public Hearing for February 10, 2022 to consider a moratorium on Route 82 from Trink Lane to Beekman Road to establish design standards and zoning: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

30. Authorize Bond and Civil Compromise with Ameresco Solar Company Regarding Phillips Farm Solar Farm

RESOLUTION (AUTHORIZING THE SUPERVISOR TO SIGN STORMWATER CONSTRUCTION SECURITY AGREEMENT)

WHEREAS, there are Security agreements that are used in the Town to secure completion of Stormwater projects, and require the Town Supervisor’s signature; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign any Town agreements; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is Rauthorized to execute the attached agreement with Ameresco.

Motion to authorize Bond and Civil Compromise with Ameresco Solar Company regarding Phillips Farm Solar Farm: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

31. Request Permission for NYSDOT to Designate Route 82 from Palen Road to Beekman Road as “Main Street”

RESOLUTION

(A RESOLUTION REQUESTING CONSIDERATION OF RENAMING A SECTION OF ROUTE 82 TO MAIN STREET)

WHEREAS, an Economic Development Committee was formed to promote local development and business; and

WHEREAS, said Development Zone is from Palen Road to Beekman Road and located on NYS Route 82; and

WHEREAS, in keeping with supporting economic development and improvement of the Town, the Town Board is asking that New York State Department of Transportation consider renaming the section of Route 82 from Palen Road to Beekman Road to Main Street; and

WHEREAS, it would appear that this would assist in promoting a more hometown identity for the area,

NOW, THEREFORE, BE IT RESOLVED, that the Town of East Fishkill hereby requests that New York State Department of Transportation rename this section of Route 82 to Main Street; and

BE IT FURTHER RESOLVED, that said change be made effective as soon as possible.

Motion to request permission for NYSDOT to designate Route 82 from Palen Road to Beekman Road as “Main Street”: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

32. Authorizing an Inter-municipal Agreement for the Recreation Director

RESOLUTION

(AUTHORIZING AN INTERMUNICIPAL AGREEMENT FOR THE RECREATION DIRECTOR)

WHEREAS, in order to more effectively and efficiently handle the needs of the Recreation Department of the Town; and

WHEREAS, the Town Supervisor has explored new ways to accomplish these needs; and

WHEREAS, sharing one full-time Recreation Director with another community would be the most efficient way to accomplish this goal and a cost savings for the taxpayer; and

WHEREAS, the Town of Pawling has agreed to share services of a Recreation Director on a fifty-fifty (50/50) basis;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign an intermunicipal agreement with the Town of Pawling for a Shared Recreation Director on a 50-50 basis at a cost not to exceed 50% of salary and benefits.

Motion to authorize an inter-municipal agreement for the Recreation Director: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Additions to the Agenda by Majority Vote:

None.

Budget Transfer:

None.

Comments from Town Board Members:

Highway Superintendent Williams stated they are looking to continue paving in the spring. They have received one of the trucks that they ordered. Hopefully the second truck will be here at the end of February. He is looking forward to working with the new liaison, Councilman Franco. It was a pleasure working with liaison Councilman Marinaro. They are ready for snow. All the trucks are up and ready. When it's not snowing, they are filling in potholes and doing tree work as the weather allows. The salt shed is full, and the sand shed is three quarters. There is a little repair work to be done on the back of the sand shed. All the repairs are done in-house. There has been a lot of ice conditions to deal with. It has been challenging. Highway Superintendent Williams did ask that people clean off their cars prior to driving.

Police Chief Bellino thanked the Board for their continuing support. The Police Department responded to over 25,000 complaints in the last five years. The last two years are up over 5,000 complaints per year. The Board's continued support has contributed to making that successful. The department wide meeting was a few days ago and they recognized several officers for their accomplishments. They issued 20 awards. Three of them were the following: the first was to a civilian, Michael G. Harrison, who assisted Officer Nichols on the side of the road, as well as Officer Nichols receiving the Award of Excellence; lastly, Officer Matthew Malligan received the Officer of the Year award. A grant was secured for \$12,500

for the LifeScan equipment. That was 75% of the cost. The renovation project on the first floor of the Police Department has been completed with the help of the Highway Department. They have started the renovation of the second floor with the Highway Department's help as well. Two officers will be graduating the Police Academy on March 11. The Town Board is invited to attend. They have had three retirees from the department. The department wishes them well on their future endeavors. He congratulated Lt. Gregory Stanis on his hard work and will give him their complete support on his new venture. Chief Bellino stated getting new vehicles on State bid is next to impossible. They were able to use the 2022 budget to secure three unmarked vehicles. They anticipated getting them at the end of the year but they already have them now. They are on board for replacing their outdated computer equipment to include their telephone recording equipment and their radio dispatching equipment. That, along with their software update, will be their big projects for this year. They are on track to get everything done within their budget.

Town Clerk Cassidy stated he has been working with everyone in the building. He thanked his office staff for all of their assistance. He has been working with the new program that will help with agendas for all of the Town Boards.

Board Member Beephan wished everyone a Happy New year. He is excited to be the new liaison to the Police Department, emergency services, and the courts. He believes it will be a good year.

Board Member Marinaro stated he is happy to be working with the Recreation Department as a liaison. Last Wednesday was their first meeting with Bill Green and Christine Selback from Recreation. He wanted to get familiar with all the issues going on. It was a great meeting. He thinks the new director coming on board will be a great addition. A relative of his living in Wildflower had a stroke last month. 911 was called. The young man stopped by Board Member Marinaro's business this past week and wanted Board Member Marinaro to thank all of the local volunteers in EMS for their quick and professional treatment. He stated the Town is very lucky to have volunteers who are so professional. Board Member Marinaro addressed the Bail Reform Law and the negative impact it has had on the community and the Police Department. This needs to be addressed.

Board Member Franco stated the Veterans Committee met with Saratoga Associates to discuss things that they would like to be part of the Memorial Park. The meeting went very well and they look forward to working with them and the rest of the committee. He wanted to thank Chief Bellino for making his time as Police Liaison very easy and enjoyable. People should know that we have a great Police Department and a great leader there. He is looking forward to working with Highway Superintendent Williams and his crew. The Hometown Connection Program is going very well. Some high school seniors have done some yard work and some snow removal for some elderly seniors. There were also some additional helpers. They are trying to expand this hometown connection with a garden project.

If there are any seniors who would like to be part of this, please contact Board Member Franco or Christine Selback from Recreation.

Supervisor D'Alessandro stated the next Town Board meeting is February 10. He wanted to remind everyone to please keep everyone in your prayers. You never know what someone is going through.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 8:33 PM: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Town Board Meetings: **Regular Meeting:** **February 10, 2022**

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Peter Cassidy – February 1, 2022